



BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, Tennessee 37201-3300

615 214-6301  
Fax 615 214-7406

REC'D TN  
REGULATORY AUTH.

Guy M. Hicks  
General Counsel

'99 AUG 19 AM 11 59

August 19, 1999

EXECUTIVE SECRETARY

VIA HAND DELIVERY

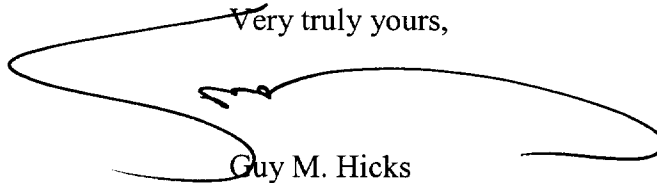
David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *BellSouth Telecommunications, Inc. Tariff Filing to Introduce BellSouth 25¢ Call Plan Service*  
Docket No. 98-00307

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s First Data Requests to AT&T Communications of the South Central States, Inc. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,



Guy M. Hicks

GMH:ch  
Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee

In Re: *BellSouth Telecommunications, Inc. Tariff Filing to Introduce BellSouth 25¢ Call Plan Service*

Docket No. 98-00307

**BELLSOUTH TELECOMMUNICATIONS, INC.'S**  
**FIRST DATA REQUESTS TO**  
**AT&T COMMUNICATIONS OF THE**  
**SOUTH CENTRAL STATES, INC.**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests AT&T Communications of the South Central States, Inc. ("AT&T") to provide answers and furnish documents in response to the following data requests by August 30, 1999.

**INSTRUCTIONS**

(a) If any response required by way of answer to these data requests is considered to contain confidential or protected information, please furnish this information subject to the Protective Order entered by the Tennessee Regulatory Authority ("Authority") in this docket.

(b) If any response required by way of answer to these data requests is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion. If any document is withheld under a claim of privilege, furnish a list of each document for which the privilege is claimed, reflecting the name and address of the person who prepared the document, the date the document was prepared, each person who was sent a copy of the document, each person who has viewed or has had custody of a copy of the document, and a statement of the basis on which the privilege is claimed.

(c) These data requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These data requests are intended to include requests for information which is physically within AT&T's possession, custody or control as well as in the possession, custody or control of AT&T's agents, attorneys, or other third parties from which such documents may be obtained.

(d) If any data request cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of a data request, answer all parts of the data request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(e) These data requests are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these data requests subsequently become known or should your initial response be incorrect or untrue.

### **DEFINITIONS**

(a) "AT&T" means AT&T Communications of the South Central States, Inc., each of its parent, subsidiary and affiliated entities, its present and former employees, agents, and all other persons acting or purporting to act on behalf of AT&T.

(b) "You" and "your" refer to AT&T.

(c) "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

(d) "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these data requests information that would not otherwise be brought within their scope.

(e) "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

#### **DATA REQUESTS**

1. Does AT&T contend that BellSouth's price for its proposed \$.25 Call Plan Service fails to comply with the price floor requirement set forth in T.C.A. §65-5-208(c)? If so, please explain in detail the basis for AT&T's contention, including identifying all facts and producing all documents that support this contention.

#### **RESPONSE:**

2. Section 65-5-208(c) provides, in part, that the price floor for an incumbent local exchange telephone company's competitive services "shall equal the incumbent local exchange telephone company's tariffed rates for essential elements utilized by competing telecommunications service providers plus the total long-run incremental cost of the competitive

elements of the service." With regard to BellSouth's proposed \$.25 Call Plan Service, please identify:

(a) all elements that comprise BellSouth's proposed \$.25 Call Plan Service which AT&T contends are "essential elements utilized by competing telecommunications service providers";

(b) the tariffed rate AT&T contends is applicable for each element identified in AT&T's response to subsection (a) of this Data Request;

(c) all elements that comprise BellSouth's proposed \$.25 Call Plan Service which AT&T contends are "competitive elements" of the service; and

(d) the long-run incremental cost AT&T contends is applicable for each element identified in AT&T's response to subsection (c) of this Data Request.

**RESPONSE:**

3. Does AT&T contend that BellSouth's price for its proposed \$.25 Call Plan Service fails to comply with the stand alone cost requirement set forth in T.C.A. §65-5-208(d)? If so, please explain in detail the basis for this contention, including identifying all facts supporting and producing all documents that support this contention.

**RESPONSE:**

4. Please explain in detail the manner in which AT&T contends the "stand alone cost" of BellSouth's proposed \$.25 Call Plan Service should be calculated pursuant to T.C.A. §65-5-208(c), identify what AT&T contends such "stand alone cost" to be, and produce all documents supporting this contention.

**RESPONSE:**

5. Does AT&T contend that BellSouth's proposed \$.25 Call Plan Service is anticompetitive, unfair, or discriminatory? If so, please explain in detail the basis for each such contention, including identifying all facts and producing all documents that support such contentions.

**RESPONSE:**

6. Does AT&T contend that BellSouth's proposed \$.25 Call Plan Service will unreasonably or unjustly discriminate against non-BellSouth customers, unduly prefer BellSouth's customers, promote price squeezing, promote price discrimination, or constitute other anticompetitive practices in violation of T.C.A. §§65-4-115, 65-4-122, or 65-5-204? If so, please explain in detail the basis for such contentions, including identifying all facts and producing all documents that support such contentions.

**RESPONSE:**

7. Does AT&T contend that BellSouth's proposed \$.25 Call Plan Service constitutes an unjust or unreasonable increase, change, or alteration of rates in violation of T.C.A. §65-5-203? If so, please explain in detail the basis for such contention, identify all facts supporting each such contention, and produce all documents supporting such contention.

**RESPONSE:**

8. Paragraph 10 of AT&T's "Petition/Complaint" alleges that "consumers using AT&T or other IXCs to complete intraLATA calls must pay much higher rates than those which would be charged by BST under the subject tariff." Please explain in detail the basis for this contention, including identifying all facts and producing all documents that support this allegation.

**RESPONSE:**

9. Does AT&T contend that BellSouth's proposed \$.25 Call Plan Service is anticompetitive or discriminatory because it will allow BellSouth to charge its end user customers for intraLATA service on a per message or per call basis, while charging AT&T and other IXCs only a per minute basis for access?

**RESPONSE:**

10. If the answer to the foregoing Data Request is in the affirmative, please admit that:

(a) in *In re: BellSouth Telecommunications, Inc.'s Tariff Filing to Offer LATA Wide Area Plus®* Docket 98-00634, AT&T argued that BellSouth's proposed LATA Wide Area Plus® Service was anticompetitive and discriminatory because it offered BellSouth customers an intraLATA calling plan for a flat monthly fee, while AT&T and other IXC's must pay access charges on a per minute of use basis;

(b) the Authority approved BellSouth's LATA Wide Area Plus® service, finding that the service was neither anticompetitive nor discriminatory;

(c) since the Authority found that BellSouth's LATA Wide Area Plus® service is not anticompetitive or discriminatory even though it offers BellSouth customers an intraLATA calling plan for a flat monthly fee while AT&T and other IXC's pay only on a per minute basis for access, for the Authority to be consistent it should find that BellSouth's \$.25 Call Plan Service is not anticompetitive or discriminatory even though it allows BellSouth customers to pay for intraLATA service on a per message or per call basis, while AT&T and other IXC's pay only on a per minute basis for access.

**RESPONSE:**

11. If any of the Requests for Admission in Data Request No. 10 are denied in whole or in part, state all facts and identify all documents that support such denial.

**RESPONSE:**

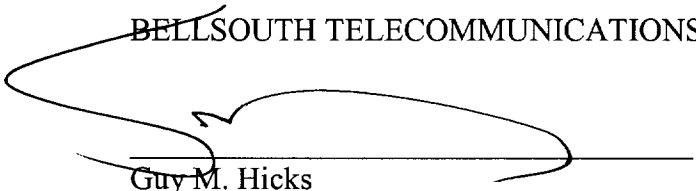


12. Have you reviewed the cost studies and supporting documentation underlying BellSouth's proposed \$.25 Call Plan Service that were filed by BellSouth pursuant to the Report and Recommendation of the Pre-Hearing Officer? If so, identify with particularity each and every aspect of BellSouth's cost studies and supporting documentation, including the results, assumptions, or calculations, with which AT&T disagrees in whole or in part. In answering this Data Request, please provide the results, assumptions, or calculations that AT&T contends should be used.

**RESPONSE:**

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.



Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300  
615/214-6301

Bennett L. Ross  
675 W. Peachtree St., NE., Suite 4300  
Atlanta, GA 30375

CERTIFICATE OF SERVICE

I hereby certify that on August 19, 1999, a copy of the foregoing document was served on the parties of record via facsimile, overnight, or US Mail, postage prepaid:

- ☒ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight

Richard Collier, Esquire  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0500

- ☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

James Lamoureux, Esquire  
AT&T  
1200 Peachtree St., NE  
Atlanta, GA 30309

- ☒ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight

Val Sanford, Esquire  
Gullett, Sanford, et al.  
P. O. Box 198888  
Nashville, TN 37219-8888

- ☒ Hand  
☐ Mail  
☐ Facsimile  
☐ Overnight

Jon E. Hastings, Esquire  
Boult, Cummings, et al.  
P. O. Box 198062  
Nashville, TN 37219-8062

- ☒ Hand  
☐ Mail  
☒ Facsimile  
☐ Overnight

James Wright, Esq.  
United Telephone - Southeast  
14111 Capitol Blvd.  
Wake Forest, NC 27587

